

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 05CV10165-RGS

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GREAT NORTHERN INSURANCE COMPANY,  
As Subrogee of Jon and Abby Winkelreid  
Plaintiff(s)

VS.

FERGUSON & SHAMAMIAN ARCHITECTS, LLP  
and W.B. MARDEN COMPANY  
Defendant(s) and Third Party Plaintiff(s)

VS.

THIRTY ACRE WOOD, LLC and  
ELLIS AND SCHNEIDER  

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Third Party Defendant(s)

**STIPULATION AND JOINT MOTION TO AMEND SCHEDULING ORDER**

Plaintiff, Great Northern Insurance Company as subrogee of Jon and Abby Winkelreid; Defendants and Third Party Plaintiffs, Ferguson & Shamaminan Architects, LLP and W. B. Marden Company; and Third Party Defendants, Thirty Acre Wood, LLC and Ellis and Schneider, constituting all of the parties to this action, hereby stipulate and jointly move for entry, pursuant to Fed.R.Civ.P. 26(f) and local Rules 16.1(D) and (G), of the parties' Stipulation and Second Amended Scheduling Order, annexed hereto as Exhibit "A". In support of this motion, the parties state that they have engaged in written discovery and have commenced document production, which entails the production of voluminous documents. Written discovery has not yet been completed and at least one (1) party, Third Party Defendant Thirty Acre Wood, LLC, is awaiting Answers to Interrogatories and a Response to Document Request from the Plaintiff. Thirty Acre Wood, LLC has recently filed a Motion to File a Fourth Party Complaint which, if allowed, would necessitate additional written discovery.

The parties have notices six (6) depositions, and are conferring with regard to dates for those depositions.

The parties recognize, however, that completion of written discovery and the additional fact discovery that remains requires an extension of the current deadlines in this matter. As provided in Exhibit "A", the parties seek to extend by ninety (90) days, all discovery deadlines. The time intervals for all pre-trial events following the conclusion of fact discovery are substantially the same as those in the current Scheduling Order.

Thus, the parties mutually recognize that additional time will be necessary for them to complete written discovery and fact discovery in this matter. Accordingly, the parties have stipulated, and respectfully jointly move, that this Court enter this Stipulation and Second Amended Scheduling Order attached hereto as Exhibit "A".

Great Northern Insurance Co.  
By Its Attorney,

Thirty Acre Wood, LLC  
By its Attorney,

/s/ James P. Cullen  
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/s/ Frank S. Puccio, Jr.  
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Great Northern Insurance Co.  
By Its Attorney

Ferguson & Shamamian Architects, LLP  
By Its Attorney

/s/ Patrick L. Loftus, III  
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W. B. Marden Company  
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Ellis and Schnieder  
By Its Attorney

/s/ John F. Gleavy  
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/s/ Martin S. Cosgrove  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on July 25, 2006.

/s/ Frank S. Puccio, Jr.  
\_\_\_\_\_  
FRANK S. PUCCIO, JR./BBO# 407580

DATED: July 25, 2006

MRS/nmk  
(0000WW-0588 cp#154)

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**STIPULATION AND SECOND AMENDED SCHEDULING ORDER PURSUANT TO  
FED.R.CIV.P. 26(f) AND LOCAL RULE 16.1(D)**

Pursuant to Fed.R.Civ.P. 26(f) and local Rule 16.1(D), the parties, having conferred in good faith concerning the need for an amended schedule for discovery and other pre-trial matters in this matter, and having reached agreement and so stipulated and jointly moved, respectfully submit this Stipulation and Second Amended Scheduling Order for approval and entry by the Court.

**DEADLINE OR EVENT**

**STIPULATED DATE**

Written discovery completed	08/14/06
All remaining fact discovery completed	09/28/06
Plaintiff's expert reports served	10/13/06
Defendants' expert reports served	10/30/06
All discovery, with exception of expert depositions	11/13/06
Expert depositions complete	12/14/06
Dispositive motions filed	12/29/06, with oppositions due 14 days thereafter unless enlarged by the court

Great Northern Insurance Co.  
By Its Attorney,

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By Its Attorney

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By its Attorney,

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/s/ Frank S. Puccio, Jr.  
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